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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 02-00225DAE-01
)	
Plaintiff,)	UNITED STATES' REPLY TO
)	DEFENDANT ANDY S.S. YIP'S
vs.)	MOTION TO COMPEL ELECTION
)	BETWEEN MULTIPLICITIOUS TAX
ANDY S.S. YIP,)	COUNTS (COUNTS 7 AND 8 OF
)	SECOND SUPERSEDING
Defendant.)	INDICTMENT); CERTIFICATE
)	OF SERVICE
)	
)	Trial Date: 11/28/06
_____)	Judge: Hon. David A. Ezra

UNITED STATES' REPLY TO DEFENDANT
ANDY S.S. YIP'S MOTION TO COMPEL ELECTION
BETWEEN MULTIPLICITIOUS TAX COUNTS (COUNTS 7
AND 8 OF SECOND SUPERSEDING INDICTMENT)

The United States of America, by and through these
pleadings, elects to submit Count 7 of the Second Superseding
Indictment to the jury and proceed to trial offering evidence on

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that count as charged in the Indictment. This election is made pursuant to Rules 12(b)(2) and 12(b)(3)(1) of the Federal Rules of Criminal Procedure.

DATED: Honolulu, Hawaii, September 12, 2006.

Respectfully submitted,

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Leslie E. Osborne, Jr.
LESLIE E. OSBORNE, JR.
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at his last known address on September 13, 2006:

Served by First Class Mail:

Howard T. Chang, Esq.
Pauahi Tower, Suite 700
1001 Bishop Street
Honolulu, HI 96813

Attorney for Defendant
ANDY S.S. YIP

DATED: Honolulu, Hawaii, September 13, 2006.

/s/ Gloria Parker
Gloria Parker